# Exhibit C

**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

| | |
|---|---|
| ---------------------------------------------------------- X | |
| THE NEW YORK TIMES COMPANY : | |
| : | |
| Plaintiff, : | |
| : | No. 1:23-CV-11195-SHS-OTW |
| -against- : | |
| : | |
| MICROSOFT CORPORATION, *et al.,* : | |
| : | |
| Defendants. : | |
| ---------------------------------------------------------- X | |
| DAILY NEWS, *et al.,* : | |
| : | |
| Plaintiff, : | |
| : | No. 1:24-CV-3285-SHS-OTW |
| -against- : | |
| : | |
| MICROSOFT CORPORATION, *et al.,* : | |
| : | |
| Defendants. : | |
| ---------------------------------------------------------- X | |
| THE CENTER FOR INVESTIGATIVE : | |
| REPORTING, INC., : | |
| : | |
| Plaintiff, : | No. 1:24-CV-04872-SHS-OTW |
| : | |
| -against- : | |
| : | |
| OPENAI, INC., *et al.,* : | |
| : | |
| Defendants. X | |
| ---------------------------------------------------------- | |

**DEFENDANT OPENAI OPCO, LLC'S SECOND SET OF REQUESTS FOR**
**ADMISSION TO PLAINTIFF THE NEW YORK TIMES COMPANY (NOS. 13–50)**

In accordance with Federal Rules of Civil Procedure 26 and 36, Defendant OpenAI OpCo, LLC ("OpenAI OpCo"), by and through its undersigned attorneys, hereby requests that Plaintiff The New York Times Company admit or deny the following Requests for Admission ("Requests") within thirty (30) days of service.

## DEFINITIONS

1.      Each of these Definitions and Instructions is incorporated into each of the Requests to which it pertains.  Notwithstanding any Definition below, each word, term, or phrase used in these Requests is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure.

2.      "Plaintiff," "You," and/or "Your" shall mean The New York Times Company, its officers, directors, managers, Employees, Agents, divisions, parent companies, subsidiaries, affiliates, including any Person who served in any such capacity at any time.

3.      "Defendant" shall mean any defendant named in the Complaint filed on December 27, 2023 in *The New York Times Company v. Microsoft Corporation, et al.*, Case No. 1:23-cv-11195, and any subsequent complaint that You file in this action.

4.      "OpenAI" shall mean OpenAI, Inc., OpenAI LP, OpenAI GP, LLC, OpenAI, LLC, OpenAI Opco, LLC, OpenAI Global LLC, OAI Corporation, LLC, and OpenAI Holdings, LLC.

5.      "Generative AI" shall mean large language models, including the products into which such models are incorporated; this definition includes, but is not limited to, ChatGPT, Gemini, LLaMA, and Claude.

6.      "GPT Model" shall mean any of OpenAI's large language models, including GPT-1, GPT-2, GPT-3, GPT-3.5, and GPT-4.

7.      "Person" shall mean any natural person or any business, legal, or governmental

Admit that You are unaware of any lost sales of any of Your Asserted Works due to OpenAI's alleged infringement of Your Asserted Works as set forth in the Complaint.

**REQUEST FOR ADMISSION NO. 31:**

Admit that You are unaware of any documentary evidence showing the contention that You have lost sales of any Asserted Work due to OpenAI's alleged infringement of Your Asserted Works as set forth in the Complaint.

**REQUEST FOR ADMISSION NO. 32:**

Admit that You are unaware of any specific licensing opportunity that You lost due to OpenAI's alleged infringement of Your Asserted Works as set forth in the Complaint.

**REQUEST FOR ADMISSION NO. 33:**

Admit that You are unaware of any documentary evidence showing that You lost a specific licensing opportunity due to OpenAI's alleged infringement of Your Asserted Works as set forth in the Complaint.

**REQUEST FOR ADMISSION NO. 34:**

Admit that no third party has offered You compensation to use Your Asserted Works to train Generative AI.

**REQUEST FOR ADMISSION NO. 35:**

Admit that You are unaware of any Communications preceding the initiation of the Action in which a third party offered You compensation to use Your Asserted Works to train Generative AI.

**REQUEST FOR ADMISSION NO. 36:**

Admit that You have never licensed any of Your Asserted Works for use as training data for Generative AI.

**REQUEST FOR ADMISSION NO. 37:**

Admit that You are unaware of any of Your Asserted Works ever having been licensed for use as training data for Generative AI.

**REQUEST FOR ADMISSION NO. 38:**

Admit that You have no documentary evidence showing that any Person has offered any consideration to You for the use of Your Asserted Works to train Generative AI.

**REQUEST FOR ADMISSION NO. 39:**

Admit that You have no documentary evidence showing that any Person has actually compensated You any consideration for use of Your Asserted Works to train Generative AI.

**REQUEST FOR ADMISSION NO. 40:**

Admit that sales Relating to Your Asserted Works have not decreased due to the alleged use of Your Asserted Works to train Generative AI.

**REQUEST FOR ADMISSION NO. 41:**

Admit that You knew, prior to December 27, 2020, that one or more of Your Asserted Works was used as training material for any GPT Model.

**REQUEST FOR ADMISSION NO. 42:**

Admit that the release of ChatGPT has not diminished Your incentive to write or create new works.

**REQUEST FOR ADMISSION NO. 43:**

Admit that some of Your Asserted Works include facts first reported by other news publications.

**REQUEST FOR ADMISSION NO. 44:**

Admit that You created the Asserted Works to be read for their expressive content.

**REQUEST FOR ADMISSION NO. 45:**

Admit that at least half of the works You have asserted in this case are factual in nature.

**REQUEST FOR ADMISSION NO. 46:**

Admit that You are not aware of any specific ChatGPT outputs that make full copies of

any of Your Asserted Works available to the public.

**REQUEST FOR ADMISSION NO. 47:**

Admit that You are unaware of any specific ChatGPT outputs that (a) reproduce a work

you have asserted in this Action, (b) without attribution, and (c) within 10 days of publication.

Dated:  November 20, 2024                         Respectfully Submitted,

                                   By:  */s/ Elana Nightingale Dawson*

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By: */s/ Paven Malhotra*

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